

SOIL CONSERVATION AND WATER QUALITY DIVISION[27]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 207.21(5)“a” and 208.17(5), the Division of Soil Conservation and Water Quality hereby gives Notice of Intended Action to amend Chapter 6, “Contracts for Public Improvements and Professional Services,” Iowa Administrative Code.

Under the proposed amendments, the minimum estimate for abandoned mined land reclamation work and maintenance projects requiring public bidding would be increased from \$25,000 to \$100,000. Competitive quotations can be used for work estimated to cost less than \$100,000. These amendments would require notice to be posted on Web sites instead of published in newspapers, and the minimum number of days for notice would be changed from 15 days to 13 days.

Any interested persons may make written suggestions or comments on the proposed amendments on or before January 10, 2017. Written comments should be addressed to Margaret Thomson, Iowa Department of Agriculture and Land Stewardship, Wallace State Office Building, 502 East Ninth Street, Des Moines, Iowa 50319. Comments may be submitted by fax to (515)281-6236 or by e-mail to Margaret.Thomson@IowaAgriculture.gov.

The proposed amendments are subject to the Division’s general waiver provision.

After analysis and review of this rule making, no adverse impact on jobs has been found.

These amendments are intended to implement Iowa Code section 26.3 and 2016 Iowa Acts, Senate File 2170.

The following amendments are proposed.

ITEM 1. Amend rule 27—6.2(17A,161A,159,207,208), parenthetical implementation statute, as follows:

27—6.2(17A,26,161A,159,207,208) Contracts for public improvements.

ITEM 2. Amend subrule 6.2(2) as follows:

6.2(2) Invitation for bids. When the total estimated cost of a public improvement project exceeds the sum of ~~\$25,000~~ \$100,000, the division shall advertise for sealed bids by ~~publishing~~ posting a notice of “Invitation for Bids” ~~in at least one newspaper of statewide circulation, one newspaper published in the county seat of the county in which the work is to be done and such other means as may be appropriate in sufficient time to enable prospective bidders to prepare and submit bids, provided that one of said notices shall be on the department’s Web site, a relevant contractor plan room service with statewide circulation and a relevant construction lead generating service with statewide circulation not less than 45 13 days~~ prior to the date set for receiving bids. ~~Where work is to be done under the contract in more than three counties, the requirement of publication in the county seat shall not be required so long as other means of notice to bidders is given, as in trade journals or other such means.~~ Plans, specifications and the contract form shall be provided to all prospective bidders as provided in the invitation for bids.

ITEM 3. Amend subrule 6.2(4) as follows:

6.2(4) Solicitation of quotations. Competitive quotations may be solicited on public improvement projects estimated by the division to cost less than ~~\$25,000~~ \$100,000. At least three quotations shall be solicited unless there are an insufficient number of local, qualified contractors interested in the project.

ITEM 4. Amend **27—Chapter 6**, implementation sentence, as follows:

These rules are intended to implement Iowa Code chapters 17A, 159, 161A, 207 and 208 and Iowa Code section 26.3.